

2007 Annual Town Meeting Motions

Article numbers followed by an asterisk (*) are on the Consent Calendar.

Consent

Majority vote

Mr. Foster moves that the Town take up the twenty-three articles in the Consent Calendar on pages 19 through 21 of the Warrant:

Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 34, 40, 41, 42, 43, 44, 45

Article 1 – Choose Town Officers

Majority vote

Mr. Foster moves that the Town fix the compensation for elected officers as shown in the Article.

Frank Joyner, Trustee of the Elizabeth White Fund, nominates, Cornelia O. Huber, 50 Seminole Road, for the position of Trustee of the Elizabeth White Fund, term to expire 2010.

Peter J. Guilmette, Trustee of the West Acton Citizens' Library, nominates, Nancy Lenickeck, 24 Windsor Avenue, for the position of Trustee of the West Acton Citizens' Library, term to expire 2010.

Edward M. Bennett, Trustee of the Fireman's Relief Fund of West Acton, nominates Robert A. Vanderhoof, 374 Central Street, for the position of Trustee of the Fireman's Relief Fund of West Acton, term to expire 2010.

William A. Klauer, Trustee of the Fireman's Relief Fund of Acton, nominates James D. Young, 251 Nagog Hill Road, for the position of Trustee of the Fireman's Relief Fund of Acton, term to expire 2010.

Article 2 – Hear and Accept Reports

Majority vote

Mr. Foster moves that the Town accept the reports of the various Town Officers and Boards as set forth in the 2006 Town Report and that the Moderator call for any other reports.

Article 3 * – Council on Aging Van Enterprise Budget

Majority vote

Mr. Hunter moves that the Town appropriate \$87,953 for the purpose of operating the Town of Acton Senior and Disabled Citizens Van service, and to raise such amount,

\$40,710 be raised from department receipts,

\$37,243 be raised from taxation and

\$10,000 be transferred from retained earnings.

Article 4 * – Nursing Enterprise Budget

Majority vote

Mr. Hunter moves that the Town appropriate \$739,416 for the purpose of operating the Town of Acton Public Health Nursing Service, and to raise such amount,
\$739,416 be raised from department receipts.

Article 5 * – Septage Disposal Enterprise Budget

Majority vote

Mr. Magee moves that the Town appropriate \$145,533 for the purpose of septage disposal, and to raise such amount,
\$145,533 be raised from department receipts.

Article 6 * – Sewer Enterprise Budget

Majority vote

Mr. Magee moves that the Town appropriate \$1,583,399 for the purpose of operating the sewer system, and to raise such amount,
\$1,583,399 be raised from department receipts.

Article 7 * – Trash Disposal and Recycling Enterprise Budget

Majority vote

Mr. Ashton moves that the Town appropriate \$586,844 for the purpose of solid waste disposal, and to raise such amount,
\$586,844 be raised from department receipts.

Article 8 * – Section 53E½ Self-Funding Programs

Majority vote

Mr. Ashton moves that the revolving funds for the Local School System, Historic District Commission, Building Department, Sealer of Weights and Measures, Health Department, and Fire Department be continued for fiscal year 2008 in the amounts and for the purposes set forth in the expense column of this Article.

Article 9 * – Chapter 90 Highway Reimbursement Program

Majority vote

Mr. Foster moves that the Town Manager be authorized to accept Highway funds from all sources and such funds are hereby appropriated for highway purposes.

Article 10 * – Insurance Proceeds

Majority vote

Mr. Hunter moves that the Town Manager be authorized to accept insurance proceeds of any name and nature whatsoever from all sources and such funds are hereby appropriated.

Article 11 * – Gifts or Grants

Majority vote

Ms. Rosenzweig moves that the proceeds of any gifts or grants from any source accepted pursuant to Massachusetts General Law, Chapter 44, Section 53A, and any interest thereon, are hereby appropriated for the stated purposes of the gifts or grants, and may be expended with the approval of the Board of Selectmen or otherwise as stated in Section 53A.

Article 12 * – Federal and State Aid

Majority vote

Mr. Hunter moves that the Town Manager be authorized to accept federal and state reimbursement funds from all sources and that such funds are hereby appropriated for the purposes outlined by such reimbursement.

Article 13 * – Performance Bonds

Majority vote

Mr. Hunter moves that the Town appropriate the proceeds of any performance bonds, for the purposes stated in said bonds, available as a result of any default, non-performance or other covered conditions.

Article 14 * – Sale of Foreclosed Properties

Majority vote

Ms. Rosenzweig moves in the words of the Article.

Article 15 * – Elderly Tax Relief – Reauthorize Chapter 73 of the Acts of 1986

Majority vote

Mr. Ashton moves that the Town continue to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for a 100% increase in certain property tax exemptions.

Article 16 * – Establish Police Cruiser Revolving Fund

Majority vote

Mr. Hunter moves that the Town establish a revolving fund for the Police Department to replace police cruisers.

Article 17 * – Accept Chapter 79 of the Acts of 2006

Majority vote

Mr. Hunter moves that the Town accept Chapter 79 of the Acts of 2006 for all types of adjudicatory hearings conducted by any municipal board, committee or commission of the Town.

Article 18 – Budget Transfer

Majority vote

Mr. Foster moves that the Town take no action on this Article.

Article 19 * – Acton-Boxborough Cultural Council

Majority vote

Mr. Foster moves that the Town raise and appropriate \$2,000 for the ongoing expenses of the Acton-Boxborough Cultural Council.

Article 20 – Town Operating Budget

Majority vote

Mr. Foster moves that the Town appropriate \$24,019,554, to be expended by the Town Manager, for the purpose of funding the Municipal Budget for the period July 1, 2007 to June 30, 2008, and to raise such amount,

\$ 23,473,554 be raised and appropriated,

\$ 494,000 be transferred from Free Cash and

\$ 52,000 be transferred from Cemetery Trust funds for Cemetery use,

and that the Town Manager be authorized to sell, trade or dispose of vehicles and equipment being replaced and to expend any proceeds so received.

Article 21 – Capital Improvements

Majority vote

Mr. Foster moves that the Town appropriate \$737,500 to be expended by the Town Manager in the amounts and for the purposes set forth in this article, except that the amount appropriated under Part D be reduced to \$40,000, and to raise such amount, \$737,500 be raised and appropriated, and that the Town Manager be authorized to sell, trade or dispose of vehicles and equipment being replaced and to expend any proceeds so received.

Article 22 – Capital Improvements

Motion for Section A, Fire Station Design, a majority vote:

Mr. Hunter moves that the Town raise and appropriate \$100,000 to be expended by the Town Manager for the purpose of funding management studies, architectural and engineering services, feasibility studies, preliminary design, and related services for the design of a new fire/EMS station in the northerly portion of Acton.

Motion for Section B, GIS, a two-thirds vote:

Mr. Hunter moves that the Town appropriate \$300,000 to be expended by the Town Manager for the purpose set forth in Part B of this Article including costs incidental and related thereto, and to raise such amount, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$300,000 under Massachusetts General Law, Chapter 44, Section 7, Paragraph 29, as amended, and that the Town raise and appropriate \$75,000 for the payment of interest and underwriting costs on such borrowing in Fiscal Year 2008.

Article 23 – Wastewater Rapid Infiltration Basins Capacity Assessment Two-thirds vote

Mr. Magee moves that the Town raise and appropriate \$25,100 to be expended by the Town Manager for the purpose set forth in the article.

Article 24 – Sewer Extensions Design Basis Report Two-thirds vote

Mr. Magee moves that the Town raise and appropriate \$34,500 to be expended by the Town Manager for the purpose set forth in the article.

Article 25 – Property Acquisition – 468 Main Street Two-thirds vote

Mr. Hunter moves that the Town appropriate \$545,000 to be expended by the Town Manager for the acquisition by purchase or eminent domain, of a parcel of land with all buildings and improvements located at 468 Main Street for general municipal purposes including costs incidental and related thereto, said land consisting of approximately 43,130 square feet, as shown on the Acton Town Atlas Map F-3A, Parcel 28, and to raise such amount, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$545,000 under Massachusetts General Law, Chapter 44, Section 7, Paragraph 3, as amended, and that the Town raise and appropriate \$54,500 for the payment of interest and underwriting costs on such borrowing in Fiscal Year 2008.

Article 26 – Property Acquisition – Quarry Road Two-thirds vote

Ms. Rosenzweig moves that the Town raise and appropriate \$20,400 to be expended by the Town Manager for the acquisition by purchase, eminent domain, or otherwise of a parcel of land located off Quarry Road for general municipal purposes, said land consisting of approximately 3.5 acres, as shown on the Acton Town Atlas Map C5, Parcel 25.

Article 27 – Acton Public Schools Budget Majority vote

Mr. Ryder moves that the Town appropriate \$23,309,773, to be expended by the Superintendent of Schools to fund the Acton Public School Budget for the period July 1, 2007 to June 30, 2008, and to raise such amount,
\$22,941,106 be raised and appropriated and
\$ 462,807 be transferred from Free Cash.

Article 28 – Capital Improvements, Modular Classrooms Two-thirds vote

Mr. Ryder moves that the Town appropriate \$377,500 to be expended by the Superintendent of Schools for the purpose set forth in the Article, including costs incidental and related thereto; and to raise such amount, the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$377,500 under Massachusetts General Law, Chapter 44, Section 7, Paragraph 9, as amended, and that the Acton Public Schools appropriate \$87,193 for the payment of interest and underwriting costs on such borrowing in Fiscal Year 2008; and to meet this appropriation \$87,193 be transferred from Free Cash

Article 29 – Capital Improvements, Acton Public Schools
Mr. Ryder moves that the Town take no action on this Article.

Majority vote

Article 30 – Acton-Boxborough Regional School District Assessment

Majority vote

Mr. Coppolino moves that the Town appropriate \$22,516,727 to fund the assessment of the Acton-Boxborough Regional School District for the period July 1, 2007 to June 30, 2008, and to raise such amount,

\$ 22,148,061 be raised and appropriated and

\$ 550,000 be transferred from Free Cash.

Article 31 – Minuteman Regional School District Assessment

Majority vote

Mr. Olmstead moves that the Town appropriate \$774,988 for the expenses of the Minuteman Regional Vocational Technical School District for the period of July 1, 2007 to June 30, 2008, and to raise such amount, \$774,988 be raised and appropriated.

Article 32 – Community Preservation Program

Majority vote

Ms. Coleman moves that the Town appropriate or set aside for later appropriation, \$1,331,380, and to raise such amount, \$1,331,380 be transferred from the Community Preservation Fund and that the Town Manager be authorized to expend or set aside amounts as set forth in the Article and in compliance with conditions to be noted in the Community Preservation Committee's Award Letters.

Article 33 – Inter-Municipal Agreement – Central Campus Athletic Fields

Majority vote

Mr. Foster moves that the Town authorize the Board of Selectmen to enter into an inter-municipal agreement with the Acton-Boxborough Regional School Committee relative to the use of certain fields and tennis courts at the Regional High School in substantially the form set forth in the Article.

Article 34 * - Amend Town Bylaws – Community Preservation Committee

Majority vote

Mr. Magee moves that the Town adopt the bylaw amendments as set forth in the Article.

Article 35 – Amend Zoning Bylaw – Flexible Parking Lot Design

Two-thirds vote

Mr. Schaffner moves that the Town adopt the zoning bylaw amendments as set forth in the Article.

Article 36 – Amend Zoning Bylaw – Replacement of Homes on Undersized Lots

Two-thirds vote

Mr. Starzec moves that the Town adopt the zoning bylaw amendments as set forth in the Article.

Article 37 – Amend Zoning Bylaw – Removal of Owner Occupancy Requirement for Multi-Family Uses Two-thirds vote

Mr. Densen moves that the Town adopt the zoning bylaw amendments as set forth in the Article.

Article 38 – Amend Zoning Bylaw – Wireless Communications Facilities Amendments Two-thirds vote

Mr. Reichlen moves that the Town adopt the zoning bylaw amendments as set forth in Parts A through D of the Article, and that Part E be deleted in its entirety.

Article 39 – Cellular Towers in Residential and School Areas (Citizens Petition) Two-thirds vote

Mr. Tuffin moves that the Town adopt the zoning bylaw amendments to Sections 3.4.10 and 3.10.4.7 of the zoning bylaw as set forth in the subparagraphs numbered 1 and 1.1 in the Article.

Article 40 * Accept Access Easement – Quarry Road Two-thirds vote

Mr. Ashton moves that the Town authorize the acquisition of the easements as set forth in the Article.

Article 41 * Accept Access Easement – Quarry Road Two-thirds vote

Mr. Ashton moves that the Town authorize the acquisition of the easements as set forth in the Article.

Article 42 * Accept Streets – Squirrel Hill Road and Marian Road Two-thirds vote

Mr. Foster moves that the Town accept as public ways the streets listed in the Article, as laid out by the Board of Selectmen, according to the plans on file with the Town Clerk, and authorize the Board of Selectmen to take the fee or easements for drainage, utility, or other purposes where shown on said plans or described in the Order of Layout.

Article 43 * Accept Sidewalk Easement – Willow Street Majority vote

Mr. Foster moves that the Town authorize the acquisition of the easements as set forth in the Article.

Article 44 * Accept Drainage Easement – Harris Street Majority vote

Mr. Foster moves that the Town authorize the acquisition of the easements as set forth in the Article.

Article 45 * Accept Drainage Easement – Main Street Majority vote

Mr. Magee moves that the Town authorize the acquisition of the easements as set forth in the Article.
